

# Notice of Allowability

Application No.

10/551,662

Examiner

William H. Mayo III

Applicant(s)

ALEXANDER ET AL.

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to June 14 & February 14, 2007.
2. ☒ The allowed claim(s) is/are 71-103.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 7/16/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed July 16, 2007 has been submitted for consideration by the Office. It has been placed in the application file and the information referred to therein has been considered.

### ***Drawings***

2. The drawings were received on February 14, 2007. These drawings are approved.

### ***Allowable Subject Matter***

3. Claims 71-103 are allowed.
4. The following is an examiner's statement of reasons for allowance: This invention deals with a cable comprising at least one conductor comprising an insulating layer which forms a ceramic when exposed to an elevated temperature comprising a thermoplastic polymer base composition comprising at least 50% by weight of the polymer base of organic non silicone polymer, a silicate filler, and at least one further layer comprising a polymer base composition comprising at least 50% by weight of organic non silicone polymer and an inorganic filler (claim 71). This invention also deals with a cable comprising at least one conductor comprising an insulating layer which forms a ceramic when exposed to an elevated temperature comprising a thermoplastic

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polymer base composition comprising at least 50% by weight of the polymer base of organic non silicone polymer, a inorganic filler, and at least one further layer comprising a polymer base composition comprising at least 50% by weight of organic non silicone polymer and (claim 79). This invention also deals with a cable comprising at least one conductor comprising an insulating layer which forms a ceramic when exposed to an elevated temperature comprising a thermoplastic polymer base composition comprising at least 50% by weight of the polymer base of organic non silicone polymer, a silicate mineral filler, and at least one further layer comprising a polymer base composition comprising at least 50% by weight of organic non silicone polymer and an inorganic filler (claim 85). This invention also deals with a flame performance article comprising a protective layer which forms a ceramic when exposed to an elevated temperature comprising a thermoplastic polymer base composition comprising at least 50% by weight of the polymer base of organic non silicone polymer, a silicate mineral filler, and at least one further layer comprising a polymer base composition comprising at least 50% by weight of organic non silicone polymer and an inorganic filler (claim 94). The above stated claim limitations, in combination with other claim limitations, is not taught or suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

5. Applicant's arguments filed February 14, 2007 have been fully considered and they are persuasive. Specifically, the applicant's argument that none of the cited prior art discloses "a cable (i.e. article) comprising at least one conductor comprising an insulating layer which forms a ceramic when exposed to an elevated temperature comprising a thermoplastic polymer base composition comprising at least 50% by weight of the polymer base of organic non silicone polymer, a silicate filler, and at least one further layer comprising a polymer base composition comprising at least 50% by weight of organic non silicone polymer and an inorganic filler is persuasive and therefore the claims have been allowed.

***Communication***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (571)-272-1978. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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July 17, 2007

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FIG 3

